



REVIEW COMMITTEE

110.9 -Power Plant empls
req'd to attend Safet
Daze training are enti
tled to premium pay.



IBEW

PACIFIC GAS AND ELECTRIC COMPANY
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SEP - 8 1994

**CASE CLOSED
LOGGED AND FILED**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W
P.O. BOX 4790
WALNUT CREEK, CALIFORNIA 94596
(510) 933-6060
R.W. STALCUP, SECRETARY

RICK R. DOERING, CHAIRMAN

RECEIVED SEP - 8 1994

- DECISION
- LETTER DECISION
- PRE-REVIEW REFERRAL

Steam Generation Grievance Nos. SFP-92-12
CON-93-14
Pre-Review Committee File Nos. 1728 and 1729

Grievance Issue: Failure to pay a premium pursuant to 110.9 to Power Plant employees for Safety Daze Training.

Facts of the Case:

Section 110.9 of the Agreement states:

"...110.9 Fire Brigade - Steam and Nuclear Generation

- (a) Employees who are assigned to perform fire protection and/or hazardous material emergency response duties at any work location, including training, instructing, and qualifying, and response to fire and hazardous waste spill emergencies, shall receive the following premium pay, compensated to the one-quarter hour, in addition to any other pay:
 - (1) one time straight hourly rate of pay for time spent in actual fire response,
 - (2) one-half time the straight hourly rate of pay for time spent in hazardous material response,
 - (3) one-half time the straight hourly rate of pay for time spent in training, instructing, and qualifying.
- (b) In the event there are more volunteers than needed, the individuals with the most seniority in the affected classifications shall be offered such assignments.
- (c) In the event there are not a sufficient number of volunteers, the individuals with the least amount of seniority in the affected classifications shall be assigned such duty contingent upon meeting the applicable qualifications.

The employees were trained in the following areas: Hazard Communication, Hazardous Waste, SCBA Incipient Fire, First Aid and Emergency Response.

Discussion:

The Company's position is as follows:

The training at issue ("Safety Training Daze") does not rise to the level required by section 110.9 of the contract (i.e., "emergency response"). The training was required pursuant to California Code of Regulations [22-66265.16 Personnel Training] which requires all facility personnel to have a minimum level of training. The training given at the Plant focused on information sharing and basic awareness with regard to Hazardous Communication, Waste Management, etc. Premium pay per 110.9 is only for employees who are specifically "assigned" to perform fire or hazardous material "emergency response" duties. The training provided in Safety Daze does not qualify for "emergency response" per 29 CFR XVII or 110.9 and is generic awareness training about hazardous materials.

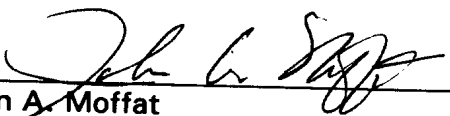
The Union's position is as follows:

Safety Daze training ensures proper response to emergencies and therefore rises to the 110.9 threshold. The Company cannot expect employees to respond to emergencies without proper training. If Safety Daze is *the* training from which Operating personnel are expected to learn emergency response duties, then such should be paid pursuant to 110.9.

Disposition:

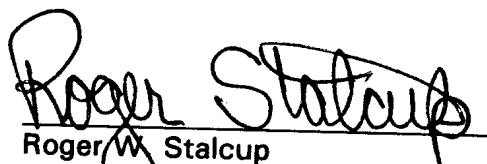
The Committee agreed the employees are entitled to the premium pay for four hours under the provisions of 110.9(a)(3).

This case is closed without further adjustment.



John A. Moffat
Chairman, Review
Committee

9-6-94
Date



Roger W. Stalcup
Secretary Review
Committee

9/7/94
Date